

and submits this evidence with a new supporting declaration. The declaration also points out that fluctuations in Tg and average particle size ranges are expected to one skilled in the art. Preparation of polymeric binder samples require use of varying amounts and types of monomers, leading to normal variations in Tg and average particle sizes. Tg variations of +/- 2°C are expected to one skilled in the art. Average particle size variations of +/- 15 nm are expected to one skilled in the art.

The attached declaration of Michael Hallden-Abberton provides evidence of unexpected results around the present claim limitations. Specifically, the test results demonstrate criticality of particle size and Tg in the printer operability as measured by the number of nozzles that remain able to fire at the end of the printer test and the highlighter resistance property as measured by the relative optical appearance of the treated prints after rubbing with a highlighter as claimed in the above-identified patent application. The criticality and superiority with respect to printer operability and highlighter resistance of the claimed invention is described with sufficient specificity to avoid anticipation in view of EP 590604 and also renders the claims unobvious to one skilled in the art.

Applicant maintains that such claims are patentable in view of the declaration and arguments presented above. Applicant's attorney thanks the Examiner for the time taken to review this response. In view of the foregoing remarks, Applicant respectfully requests reconsideration of the rejection and allowance of the claims. The Examiner is encouraged to contact the attorney listed below if there are any questions or comments.

Respectfully submitted,



Karl Stauss
Attorney for Applicant
Registration No. 40,827
Telephone (215) 592-3436

Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399